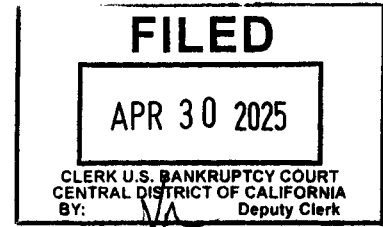


Kerry Kavanaugh
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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISI^{ON}

In re.

Kristina Smith

Case No. 8:24-bk-12527-TA

Debtor

Chapter 7

DECLARATION OF CREDITOR
KAVANAUGH CONTESTING
OBJECTION TO CLAIM BY JEFF
GOMEZ

Date: 5/13/2025

Time: 11AM

Ctrm: 5B

I, Kerry Kavanaugh declare under penalty of perjury that the following is true and correct to the best of my knowledge. I am a creditor in the Bankruptcy case of Kristina Smith, who is my sister.

I oppose Mr. Gomez's objection to my claim filed in her bankruptcy case. Mr. Gomez, my former brother in law knows that Kristina had to get help from her family since he was blocking her from having any access to the marital bank accounts and assets.

On the night my sister called us for help after he physically attacked her inuring her ribs. Mr. Gomez had abused my sister within months of them being married and continued abusing her the entire marriage I will never forget sitting outside while Mr. Gomez attempted to justify his actions against my sister and my two nieces and I vowed to him that I had money and would use it to protect them. Kristina and the girls fled to my house that night.

1 Mr. Gomez may be the most vile human being I have ever known. The Courts have
2 found him to be a perpetrator of domestic violence and referenced his being financially
3 controlling. His post separation abuse has been excessive and his goal is to destroy my
4 sister.

4 The state Court found him to be an unreliable reporter of events and he lacked
5 credibility. He was also sued by the FTC for post- separation marketing schemes. He is truly
6 a menace. I am not at all surprised that he is lying to this Court too. Last year when he filed
7 for bankruptcy in bad faith, my sister exposed him for fraud and he dismissed his own case.
8 The abuse won't stop.

8 I loaned my sister \$25,000 cash to cover a retainer for Lisa Hughes, her first
9 attorney in August of 2016. When my sister filed again in January 2017, I loaned her
10 another \$8000 cash for her retainer to Saul Gelbart.

11 Mr. Gomez found out about the loans and called my husband on May 9, 2017 and
12 left a voicemail eluding that I was cheating on my husband, which was completely untrue.
13 I had just finished my last round of chemotherapy and was fighting cancer. That was Mr.
14 Gomez attempting to punish me for helping my nieces and sister. In this voicemail, which I
15 will provide to the Court, He stated " I'm under the impression your wife is financing a big
16 portion of my divorce proceedings" he then accused me of taking advantage of my husband
17 by helping her. Mr. Gomez cut my sister off and did not pay court ordered financial order.

16 On Memorial Day in 2017 a few weeks later, we met at my house and due to Mr.
17 Gomez and his erratic and threatening behavior entered into loan agreements. Kristina
18 promised payback from her interest in her real property. My father Howard Smith also
19 entered into a loan agreement with Krsisina. My father then took out a loan with me to
20 secure enough money for his loan to Kristina and what the attorneys projected for the
21 case.

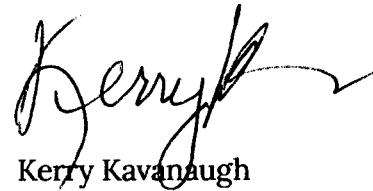
21 We never imagined that after over 8 years they still have not even started the
22 financial trial. I have paid for many expenses for my sister and the girls that I have not
23 requested her pay back. I even gave her a car. Mr. Gomez had had her car repossessed. It's
24 tragic that Mr. Gomez disregards the financial court orders and continues violating the
25 law, but very typical of his poor character. I will always support my nieces even if their
26 own father does not.

1 In 2021, I moved to Dallas Tx. Shortly after our mother passed away. We could not
2 locate the documents so they were replicated. The loan is valid. My sister told me after
3 she filed for bankruptcy due to Mr. Gomez financially abusing her, that a claim needed to
4 be filed in her case and that loan was in the amount of \$33,000.

5 It's also worth noting that I was never served this objection which apparently was
6 sent in the mail.

7 I declare under penalty of perjury on this day, April 29, 2025 in Dallas, Tx.

8
9
10 4/29/25


Kerry Kavanaugh

Attachment 1

I, Kristina Smith declare under penalty of perjury that the following is true and correct to the best of my ability and would testify the same.

I support creditors Kerry Kavanaugh and Howard Smith's opposition to Mr. Gomez's objection to their claims.

I entered into three loans with family members in order to pay my legal fees in my dissolution case as well as living expenses for me and my children. Mr. Gomez, my ex-husband whom I have been in a contentious 8+ year dissolution proceedings with would not let me have access to our marital assets and money leaving me and the children financially insecure. Receiving those loans from Kerry Kavanaugh, my sister and Howard Smith, my father was not imperative to the survival and care of me and the children.

The litigation in our dissolution case involved years and years of physical, emotional and financial abuse at the hands of Mr. Gomez and with the skill of my lawyer who has many years of experience litigating against narcissistic sociopaths was able to provide the court proof which found Mr. Gomez to be a perpetrator of domestic violence and pursuant to family code 3044 put protection in place for me and the children and forced Mr. Gomez through court orders to get mental help, anger, management, and substance abuse help. Unfortunately, Mr. Gomez is still struggling with all issues and there has been no change.

Mr. Gomez is still abusing me and has violated handover fist the financial support orders.

We entered into loan agreements on Memorial Day of 2017. One with my father and the other with my sister, Kerry Kavanaugh.

My sister had given me cash to pay the retainer for Lisa Hughes and part of my payment to Saul Gelbart. It equates to \$33,000. It did not stop there. My sister has been paying for things for the children, including their tuition, which Mr. Gomez was ordered to pay. She provided me with a car when Mr. Gomez repossessed my car and replaced it with vehicle that was unsafe and ended up breaking down. She even helped me pay for my bankruptcy filing. She has not asked for any of that money back and loans were not made for all of the thousands and thousands of dollars she has helped me with since.

My father Howard Smith and I entered into an agreement loan on Memorial Day as well in 2017. The initial loan was for \$500,000 which I was told was what I would need secured for this high conflict case as well as paying for 730 evaluation, forensic accounting and other related costs. My dad would pay these fees directly by credit card. It's my understanding that he has all of those records. I had a secure another loan with my father in 2020 as the \$500,000 was not enough. My father has continued helping me and the girls paying for court ordered financial support that Mr. Gomez has failed to pay. My father also paid for the girls tuition, the storage unit, extra curricular, medical and many other expenses that were court ordered for Mr. Gomez to pay and he refused.

Mr. Gomez is using this court to attempt to continue his abuse against me. Last year, I reported him for fraud in his bankruptcy chapter 13 case. The day that he read my report, he slashed my tire and requested to dismiss his case.

Mr. Gomez is a violent and disturbed man who will stop at nothing to hurt me. He is now using this court in his efforts to destroy me.

I have a pending domestic violence hearing to obtain protection from him for myself, the children and my dad, Howard Smith,.

Mr. Gomez has made several postings online on Justanswer.com about my bankruptcy case and how he intends to proceed against me. He even uses my name and my date of birth and lies and accusations about me on that public site which is criminal. Mr. Gomez also states on that site that he cannot trace all of the properties and it would take years to prove ownership. All of the properties were purchased after we were married. He posted a play by play of how he was going to pursue actions against me. It's all public and I made copies of all postings that is also being used in my domestic violence case.

Mr. Gomez was openly talking about how he was going to pursue actions in the bankruptcy court against me and the outcome he hopes for is that I kill myself. He stated I can "blow my brains out." This was said in front of the children and it was recorded and admissible in the DV case. There are also recordings on how he was going to have me "kicked out of the f-ing house" and that I'm f-ing broke.

Mr. Gomez has repeatedly acknowledged the loans. I have provided the documentation to my father from messages from messages from Gomez through our court ordered our family wizard application proving that Mr. Gomez acknowledges the loan of \$500,000 to my father and my sister is providing you the audio recording of a voicemail message Gomez left to my brother-in-law, Scott Kavanaugh saying that he's aware that my sister is bankrolling a big portion of my divorce and attempts to destroy their marriage with lies about my sister.

I would not be in bankruptcy if Mr. Gomez was following the court orders and paying his court ordered financial responsibilities.
I would not be in bankruptcy if Mr. Gomez didn't secretly cancel my health insurance when he found out that I was very ill another court order violation.
I would not be in bankruptcy if Mr. Gomez wasn't so vexatious in the dissolution case and postponing financial resolution by refusing moving forward with a financial hearing date over eight years later since we separated and I filed for divorce.

In April 2021 my mother passed away. She held the copies of the loans. When my father was signing over his house to my sister it was my understanding that they needed some of the

paperwork. The original paperwork was not found, and the loans were replicated. The loans are very much valid and real and Mr. Gomez knows that.

I want to pay all my debts and try to start my life over with my children. Mr. Gomez wants to make sure that I can't have that. By the sale of the community properties my interest can pay off everything I owe, and I will be able to start working on being whole again.

I support Howard Smith and Kerry Kavanaugh contesting Mr. Gomez ejection to the claims.

4/28/25

A handwritten signature in black ink that reads "Kristina Smith". The script is cursive and fluid, with the first name "Kristina" and last name "Smith" clearly legible.

Kristina Smith

Jeff Gomez voicemail message to Scott Kavanaugh
May 9, 2017

"Hey Scott It's Jeff. Im just giving you a courtesy call, because I feel there are some things that you need to know.

The first is your wife is paying for Kelley's apartment and utilities and has been for quite some time now. I was told I could never disclose this to you or I would you would be very upset.

The second thing is Kristina had always had a running joke that your wife tracks your phone and knows where you are at all times.

The third thing you need to check out is the guy from New York. Apparently Kerry stayed up until 2am in the morning at her high school reunion with him. Then proceeded to visit him again in New York when you guys went there on business. Then was planning another trip out there to New York with Katherine to see him. I don't know what the intent of this us, but from my point of view I think its' something you should be aware of.

The fourth thing is that I'm under the impression your wife is financing a big portion of my divorce proceedings. I love my daughters I'm just trying to get through this divorce. They will never have to worry about child support or alimony, but Kristina is trying to make me out to be somebody I am not through false allegations.

Scott, the reason I am telling you this is ..the reason I am telling you this information is in my life I have experienced similar things and have taken advantage ..have been taken advantage of in regards to my money and known exactly what was being spent and so forth so I'm coming from a place of understanding. I don't want to you to go through that...what I went through. I don't want you to be blind to what is going on if you don't already know.

Anyways, I'm sorry to be the bearer of bad news I feel this is vital information that you need to know. I should have approached you about it earlier, but I did not want to cause a rift in the family . If you have any questions feel free to call me at 909-477-9821. Take Care Jeff."